

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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2019 JAN -7 PM 1:14

Case No. U.S. DISTRICT COURT
DISTRICT OF MASS. 16-10305 NMG

United States of America

v.

Martin S. Gottesfeld

Defendant, pro se

MOTION TO UNSEAL

Defendant Martin S. Gottesfeld (herein "defendant"), acting pro se over his preserved objection to such, hereby moves The Honorable Court via the public docket (neither ex parte nor under seal) to unseal and to make available to the general public via PACER all prior motions made under seal and/or ex parte by his prior court-appointed defense attorneys seeking funding and other resources from The Honorable Court for their work on the instant case as well as any resulting responses/orders made by The Honorable Court.

In making this motion, the defendant hereby waives his attorney-client privilege to any such information and asserts the rights of himself and of the public to a public trial.

The defendant also wishes to note, respectfully, that he is aware that such information need not be unsealed in order for him to obtain it and use it for his own

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purposes, such as pursuing a future IAC claim or other pending litigation in another venue. However, the defendant believes that the interest of the public in this matter is compelling and he feels no need for the continued secrecy of this information.

In particular, the defendant was recently made aware that one of his prior appointed attorneys billed The Honorable Court (and therefore the American public as well) approximately \$2,700 for document reproductions which were never used. The defendant believes that the public has a vested interest in being able to ascertain other expenses for which this attorney either was reimbursed or sought to be reimbursed at taxpayer expense.

The defendant also wishes to note that it recently came to his attention since he mailed his recent affidavit pursuant to 28 U.S.C. § 144 that another prior attorney who had been appointed to represent him and who did not disclose a significant and direct financial conflict of interest (please see D.E. 140) closed his legal practice "permanently" on or about December 6th, 2018. The defendant believes that the general public and perhaps specifically other former clients of this attorney, other members of the judiciary, and perhaps the IRS may each have compelling interests in the billing history between this attorney and The Honorable Court and that they would be unlikely to receive this information through other means.

Finally, since such information is so rarely disclosed,

There would be an additional educational value, both to the general public as well as to practicing attorneys and to institutions of higher learning, which train paralegals, accountants, and attorneys, in having a publicly-available and authentic set of such data from a real Federal CFAA case as an example.

The defendant offers an affidavit (please see Exhibit A attached hereto) in support of this motion, his prior motion to unseal (please see D.E. TBD), and his prior motion for hearing transcripts (please see D.E. TBD).


Respectfully mailed on January 2nd, 2019,

MG

Martin S. Gottesfeld, pro se
PCCF ID 71225, Unit H1 Cell 235
26 Long Pond Road
Plymouth, MA 02360

CERTIFICATE OF SERVICE

I, Martin S. Gottsfeld, pro se, hereby certify
that on January 2nd, 2019 the foregoing document(s)
will be mailed to Assistant U.S.
Attorney David D'Adda.


Martin S. Gottsfeld
Pro Se

Affidavit

I, Martin S. Gottesfeld, do hereby affirm that the following is true to the best of my knowledge, information, and belief on this 2nd day of January, 2019:

1. I am the sole defendant in the case of 16-cr-10305 in U.S. District Court in Boston, Massachusetts (herein "the case").

2. I hereby waive my attorney-client privilege to the confidentiality of 1) any and all ex parte hearings which have been conducted in the case while my attorneys and I have been present; 2) any and all exhibits to motions to withdraw which were filed under seal and/or ex parte by any of my previous attorneys, specifically any such exhibits to D.E. 130, 214, 241, 254, 307, and/or 335; 3) any motions for the prepayment or reimbursement of costs or for other resources filed by my previously-appointed attorneys in relation to the case and any resulting orders by The Honorable Court.

Signed under penalty of perjury,

Martin S. Gottesfeld, pro se.



The Commonwealth of Massachusetts
On this 2 day of JANUARY, 2019
before me, the undersigned notary public, personally appeared

MARTIN GOTTESFELD
provided to me through satisfactory evidence of identification, which was
to be the person whose name is signed on the preceding or attached document who swore
or affirmed to me that the contents of the document are true and accurate to the best of
his/her knowledge and belief.



ROBERT J. LALIBERTE, Notary Public
My Commission Expires May 2, 2019

The Commonwealth of Massachusetts

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